

(c) PROCESS.—A State shall be treated as making an election under subsection (a) if—

(1) the Governor of such State provides timely and appropriate notice, at least 180 days before the election is to become effective, to the Secretary of Health and Human Services notifying the Secretary that the State is making such election; or

(2) the legislature of such State enacts a law to provide for such election.

**SA 3608.** Mrs. HUTCHISON (for herself, Mr. ENZI, Mr. COBURN, Mr. BURR, Mr. BROWN of Massachusetts, and Mr. CRAPO) proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

At the end of section 1002, insert the following:

(c) RIGHT OF STATES TO OPT OUT OF FEDERAL HEALTH CARE TAKEOVER.—Section 1321(d) of the Patient Protection and Affordable Care Act is amended—

(1) by striking “Nothing” and inserting:

“(1) IN GENERAL.—Except as provided in paragraph (2), nothing”; and

(2) by adding at the end the following:

“(2) EXCEPTION FOR OPT OUT OF HEALTH CARE REFORM.—The provisions of, and the amendments made by, this Act shall not preempt any State law enacted after the date of enactment of this Act that exempts the State from such provisions or amendments, including, but not limited to, provisions and amendments relating to the individual mandate, the employer mandate, taxes on prescription drugs, taxes on medical devices, taxes on high value health plans, Medicare cuts, and the unfunded expansion of Medicaid.”.

**SA 3609.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, insert the following:

**SEC. \_\_\_\_.** DISCLOSURE OF AGREEMENTS WITH COMPANIES, UNIONS, AND ASSOCIATIONS.

Not later than 30 days after the date of enactment of this Act, the President shall disclose any agreement made between the White House or any of its designees and a company, union, or association on the Patient Protection and Affordable Care Act or this Act.

**SA 3610.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 144, between lines 2 and 3, insert the following:

**SEC. 2214.** ONGOING RECORD OF JOBS LOST.

The Secretary of Labor shall keep an ongoing record of jobs lost due to the termination of the Robert T. Stafford Federal Student Loan Program.

**SA 3611.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for

reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

**SEC. \_\_\_\_.** DELAYED IMPLEMENTATION.

Notwithstanding any other provision of this Act or the Patient Protection and Affordable Care Act, or the amendments made by this Act or the Patient Protection and Affordable Care Act, such provisions and amendments shall not take effect before the date that the Board of Trustees of the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) submits an annual report to Congress under subsection (b)(2) of such section that includes a statement that such Trust Fund is projected to be solvent through 2037.

**SA 3612.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, insert the following:

**SEC. \_\_\_\_.** STATE OPT OUT.

A State may opt out of the application of the Patient Protection and Affordable Care Act and this Act effective upon notice by the Governor of that State to the President.

**SA 3613.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, insert the following:

**SEC. \_\_\_\_.** PROHIBITING IRS HIRING.

The Internal Revenue Service shall not hire any additional staff for the purpose of enforcing, implementing, or administering the Patient Protection and Affordable Care Act and this Act.

**SA 3614.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, insert the following:

**SEC. \_\_\_\_.** JOB LOSS RECORDS DUE TO HEALTH CARE BILL.

The Director of the Office of Management and Budget, in coordination with the Secretary of Labor, shall submit a semiannual public report to Congress detailing the record of jobs lost due to additional taxes, fees, and mandates contained in the Patient Protection and Affordable Care Act and this Act.

**SA 3615.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget

for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

**SEC. 1207.** NONAPPLICATION OF ANY MEDICAID ELIGIBILITY EXPANSION UNTIL REDUCTION IN MEDICAID FRAUD RATE.

Notwithstanding any other provision of law, with respect to a State, any provision of law that imposes on or after the date of enactment of this Act a federally-mandated expansion of eligibility for Medicaid shall not apply to the State before the date on which the State Medicaid Director certifies to the Secretary of Health and Human Services that the Medicaid payment error rate measurement (commonly referred to as “PERM”) for the State does not exceed 5 percent.

**SA 3616.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

**SEC. \_\_\_\_.** EXEMPTING CRITICAL ACCESS HOSPITALS FROM RECOMMENDATIONS OF THE INDEPENDENT PAYMENT ADVISORY BOARD.

Section 1899A(c)(2)(A) of the Social Security Act, as added by section 3403 of the Patient Protection and Affordable Care Act and amended by section 10320 of such Act, is amended by adding at the end the following new clause:

“(vii) The proposal shall not include any recommendation that would reduce payment rates for items and services furnished by a critical access hospital (as defined in section 1861(mm)(1)).”.

**SA 3617.** Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

On page 144, between lines 2 and 3, insert the following:

**SEC. 2214.** PROHIBITION REGARDING SPENDING FOR ADDITIONAL EDUCATION EMPLOYEES AND FOR IMPLEMENTING THE GOVERNMENT TAKEOVER OF THE STUDENT LOAN INDUSTRY.

Notwithstanding any other provision of this subtitle, none of the funds made available under this subtitle or the amendments made by this subtitle shall be available to hire additional employees at the Department of Education who are responsible for implementing, or to implement, the provisions of this subtitle or the amendments made by this subtitle related to the termination of the Robert T. Stafford Federal Student Loan Program.

**SA 3618.** Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

Strike section 1403 and insert the following: